

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 13-10048-FDS
	)	
	)	
KING BELIN	)	

ASSENTED TO MOTION TO CONTINUE SENTENCING DUE TO THE SUPREME COURT'S  
JUNE 26, 2015 DECISION IN JOHNSON V. UNITED STATES

Now comes the United States, with the assent of defense counsel, and hereby moves the sentencing in this matter, currently scheduled for July 9, 2015 because of the United States Supreme Court's June 26, 2015 decision in United States v. Johnson.

In Johnson, the Supreme Court struck down the residual clause of the Armed Career Criminal Act, holding that it is void for vagueness. It appears that this will change the defendant's guideline range and the application of the 15-year mandatory minimum sentence otherwise applicable in this case. Both counsel believe that a continuance for at least 30 days is needed to be able to assess the impact of Johnson and to files new Sentencing Memorandum addressing these issues. Even if all of the defendant's predicates were concluded to be affected by Johnson, his guideline range is still likely to be at least TOL 18, CHC VI resulting in an advisory guideline range of 57-71 months before any requests for variances that the government may make.

As set forth above, defense counsel has assented to the requested continuance.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

By: /S John A. Wortmann, Jr.  
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**CERTIFICATE OF SERVICE**

The government hereby certifies that the foregoing was this day filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants.

/S John A. Wortmann, Jr. 6-29-15  
JOHN A. WORTMANN, JR.  
Assistant U.S. Attorney

